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Attorneys for Defendant

International Business Machines Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 1/19/06

STEPHEN ABEL,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant.

CASE NO. C 04-03961 RMW

**~~PROPOSED~~ ORDER AND
STIPULATION TO MODIFY THE
EXPERT DISCOVERY SCHEDULE**

STIPULATION

WHEREAS, under the Court's current Case Management Order, the last day to hear motions for summary judgment is January 20, 2006, and opening expert reports and disclosures are due on February 7, 2006;

1 WHEREAS, at the Court's request, the hearing on Defendant's motion for summary
2 judgment has been rescheduled from January 20, 2006 to February 10, 2006;

3 WHEREAS, the parties would like to obtain a ruling on Defendant's motion for
4 summary judgment before incurring the expense of engaging experts;

5 IT IS HEREBY STIPULATED AND AGREED by and between the undersigned
6 counsel on behalf of their respective clients that the expert discovery schedule be modified as
7 follows:

8 Exchange Opening Expert Reports and Disclosures: February 24, 2006


9 Exchange Rebuttal Expert Reports and Disclosures: March 17, 2006

10 Beginning of Expert Discovery: March 24, 2006

11 Completion of Expert Discovery: April 24, 2006

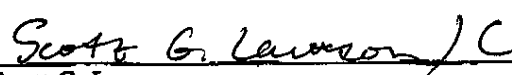
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13 DATED: January 18, 2006

LAW OFFICES OF ISMAEL D. PEREZ

14
15 By 
16 Ismael D. Perez
17 Attorneys for Plaintiff
18 Stephen Abel

19 DATED: January 13, 2006

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

20
21 By 
22 Scott G. Lawson
23 Attorneys for Defendant
24 International Business Machines Corporation
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/19/06

/S/ RONALD M. WHYTE
The Honorable Ronald M. Whyte
United States District Judge